

NEW HAVEN LEGAL ASSISTANCE ASSOCIATION, INC.
426 STATE STREET
NEW HAVEN, CONNECTICUT 06510-2018
TELEPHONE (203) 946-4811
FAX (203) 498-9271

Written Testimony of Alexis H. Smith
New Haven Legal Assistance Association
Regarding S.B. 846 AAC Decreasing Recidivism and Promoting Responsible Reintegration

My name is Alexis Smith and I am an attorney at New Haven Legal Assistance Association. I am here on behalf of Connecticut's legal services programs to testify in regarding Section 6 of S.B. 846, which allows pardons applications and relevant information to remain confidential except in certain circumstances.

Our programs provide free legal services to low income residents throughout the state of Connecticut. We represent formerly incarcerated persons in a variety of civil matters, including obtaining pardons. The Board of Pardons and Paroles has created a thorough application process for eligible individuals who have demonstrated great efforts to rehabilitate themselves.

An absolute pardon completely erases one's record, and allows an individual to start fresh and leave their criminal record behind. Many of our clients seek a pardon for employment purposes, while others see a pardon as a way to secure housing or other life-sustaining benefits. All are essential to successful reentry as it allows ex-offenders to provide for themselves and their families, significantly decreasing the chances of recidivism.

Upon receipt of an application, the Board informs members of the public who may have an interest in that particular application, including any victim involved and the State's Attorney's Office. Both reserve the ability to provide input to the Board as it deliberates about the individual's application. The Board's current practice strikes an appropriate balance between an applicant's privacy rights and the public interest. Specifically, the criminal record itself is public record up until the time that the Board makes its considered decision that it should be erased, and furthermore, the actual Board hearings are held in open court. Beyond that, if members of the public are permitted to know who has a record and the specific details of an offense, it would defeat the purpose of the pardon itself.

Confidentiality is critical to the pardons process. The Board encourages applicants to be forthcoming in giving details about their efforts to rehabilitate. Such details may include information about substance abuse recovery, mental health treatment, and other sensitive information. Applicants should have some protection from such information being disseminated outside the confines of the Board. A lack of this protection could have the effect of applicants' withholding important details about their rehabilitation or, even worse, it could discourage applicants from applying at all.